

14 August 1850. 13 & 14 VICT.



(Ireland.)

A

B I L L

TO

Amend the Irish Poor Law.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WHEREAS it is expedient to amend the Laws in force for the more effectual Relief of the destitute Poor in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when a Rate for the Relief of the Poor is to be struck in any Electoral Division in Ireland, the Guardian or Guardians of the Poor residing within or possessing Property within such Electoral Division shall and he is or they are hereby empowered to assemble the Rate-payers by a Notice to be posted in the usual Place for posting Notices within such Electoral Division Seven Days at least before the Day appointed for holding such Meeting, and that the said Rate-payers so assembled shall and they are hereby empowered, by a Majority of at least Two Thirds of the Number then present, to decide whether the Rate leviable on such Electoral Division shall be struck by the Board of Guardians in the Manner heretofore required by Law, or by an Estimate and Rate made by themselves in the Manner hereinafter mentioned, and that the said Rate shall be struck in the 20 Manner herein-after mentioned in case the said Rate-payers shall so

Pressible.
Where Rate for Relief of Poor is to be struck, Guardians in Electoral Divisions to call Meeting of Rate-payers, Two Thirds of whom present to decide whether Rate shall be leviable as heretofore, or by an Estimate and Rate made by themselves.

determine,

determine, anything in any Act or Acts contained to the contrary notwithstanding.

An Estimate to be made at Meeting of the Number of poor Persons relievable who may be chargeable the next Six Months following, upon which a Rate may be struck, and certified to the Board of Guardians, and, when approved, levied as Rate is now levied.

Meeting to elect a Committee of Management for the Expenditure of the Monies and the Relief of the Poor within Electoral Division for Twelve Months.

Poor Persons relievable by Electoral Division may have Tickets for Admission into the Union Workhouse, or receive Outdoor Relief. If poor Person not relieved, or dissatisfied with Amount of Relief, he may appeal to Board of Guardians.

Relieving Officer to present to

II. And be it enacted, That an Estimate shall be made at the said Meeting of the Number of poor Persons relievable within the Workhouse who may be likely to become chargeable to the Electoral Division within the Period of Six Months then next ensuing, in the same Manner as is now done at each Board of Guardians in Ireland, and that on such Estimate a Rate shall be struck, and when struck shall be certified to the Board of Guardians in which the Electoral Division is situate, and when approved by the said Board shall be levied and collected in like Manner as the Rate for the Relief of the Poor is now levied and collected.

III. And be it enacted, That the Rate-payers assembled at such Meeting as aforesaid shall elect a Committee of Management from among themselves, with a Chairman, who shall be intrusted with the Expenditure of the Monies arising from the Rate herein-before mentioned, and of the Relief of the Poor within the Electoral Division, for the Space of Twelve Calendar Months then next ensuing, and that all Applications for Relief shall be made to the Relief Committee so elected, by poor Persons relievable within such Electoral Division.

IV. And be it enacted, That it shall be lawful for the Electoral Relief Committee to relieve poor Persons relievable by such Electoral Division by giving them Tickets of Admission into the Union Workhouse, or by affording them such Assistance, either in Food or in Kind, as they may deem sufficient to enable them to maintain themselves outside the Workhouse.

V. And be it enacted, That in case any poor Person relievable within such Electoral Division shall consider that he is not relieved, or that he is insufficiently relieved, by the Electoral Relief Committee for such Division, it shall be lawful for such poor Person to appeal to the Board of Guardians of the Union within which such Electoral Division is situate; and in case the Board of Guardians shall find that the Electoral Division Relief Committee have either refused or neglected to relieve or insufficiently relieved such poor Person, and that he is entitled to Relief, then the said Board shall admit such poor Person to the Workhouse, and shall charge the Expense of supporting such poor Person to the Electoral Division to which he is legally chargeable.

VI. And be it enacted, That the Relieving Officer of the District shall on each Board Day present to the Board of Guardians for the Union within

within which such Electoral Division is situate a List of poor Persons sent to the Workhouse, or relieved outside of the Workhouse, by the Electoral Division Relief Committee, and also an Account specifying the Amount expended in affording such Relief, signed by the Chairman or acting Chairman of such Relief Committee, and, when required, he shall present a Cheque, signed by such Chairman or acting Chairman, for the Amount of the Sum so expended, which, when approved by the said Board, shall be countersigned by the Chairman of the Day of such Board of Guardians, and paid by the Treasurer to such Relieving Officer; and the Accounts of the Monies received and expended by the Electoral Division Relief Committees as aforesaid shall be audited in like Manner as the other Accounts of the Union within which such Electoral Division is situate.

Board of Guardians a List of Persons sent to the Workhouse or receiving Out-door Relief by the Relief Committee, with an Account of Expenditure, signed by Chairman. Accounts to be audited.

VII. And be it enacted, That so much of an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled "An Act to make further Provision for the Relief of the destitute Poor in Ireland," as provides that Out-door Relief may be authorized by the Poor Law Commissioners in certain Cases therein mentioned, shall be and the same is hereby repealed.

Repeal of so much of 10 Vict. c. 21. as authorizes Out-door Relief.

VIII. And be it enacted, That if by reason of any unforeseen Circumstances or the Visitation of Providence it may be necessary to relieve any Number of able-bodied poor Persons out of the Workhouse, for which Purpose the Funds supplied by the ordinary Poor Law are insufficient, it shall be lawful for any such Electoral Division Relief Committee to prepare an Estimate of the Number of able-bodied poor Persons within the District who may in their Opinion require additional Relief outside the Workhouse, and to submit such Estimate to a Meeting of the Rate-payers of such Electoral Division to be convened by them in the Manner herein-before mentioned; and it shall be lawful for such Rate-payers assembled at such Meeting, by a Majority of Two Thirds of the Rate-payers then present, to determine that an additional Rate, not exceeding Two Shillings and Sixpence in the Pound on the Valuation of rateable Property within such Electoral Division, shall be struck, for the Purposes of such Estimate; and that such Rate, when approved of by the Board of Guardians of the Union within which such Electoral Division is situate, shall be levied and collected in like Manner as the Rate for the Relief of the Poor is now levied and collected; and the Monies arising from such Rate, and any Monies which may be advanced either by the Legislature and may arise from other Sources for the Purposes aforesaid shall be applied by the said Electoral Division Relief Committee in the Manner herein-after mentioned.

For giving Out-door Relief to the able-bodied Poor on extraordinary Occasions, an additional Rate may be struck.

Previous to striking such additional Rate, Relief Committee to apply to Board of Guardians for Permission to do so; and to send Estimates, &c.

Board of Guardians may transmit the same to Poor Law Commissioners, who may issue Order for Relief.

Out-door Relief to be given by Employment upon Works of public Utility, to be approved by Board of Guardians, or by Admission to the Workhouse.

Wages for Out-door Relief not to be paid in Money.

Estimates, &c. of able-bodied poor Persons relieved within the Workhouse to be given to the Board of Guardians.

Board of Guardians may elect an Assistant Guardian.

IX. And be it enacted, That previous to any such Rate being struck by the Rate-payers of any Electoral Division, as herein-before mentioned, it shall be lawful for such Electoral Division Relief Committee and they are hereby required to apply to the Board of Guardians for the Union within which such Electoral Division is situate, for Permission to afford Relief to able-bodied poor Persons out of the Workhouse; and such Relief Committee shall accompany such Requisition with an Estimate of the probable Numbers and Amount of the Sum required for the Support of such able-bodied poor Persons during the Six Months then next ensuing, also a Statement of the Circumstances of the Electoral Division, and Reasons which induce the Electoral Division Relief Committee to make such Application; and, if it shall seem fit to such Board of Guardians, it shall transmit such Estimate and Statement to the Poor Law Commissioners, who, if they shall think fit, may issue a sealed Order 15 permitting such Electoral Division Relief Committee to afford Out-door Relief during the ensuing Six Months.

X. And be it enacted, That when any Electoral Division Relief Committee shall have received such Permission to afford Out-door Relief to such able-bodied poor Persons outside the Workhouse, it 20 shall be lawful for the said Committee to set to work such able-bodied poor Persons as are entitled to Relief in such Electoral Division at some Work of public Utility which shall be submitted to and approved of by the Board of Guardians of the Union, or to give Tickets of Admission to the Workhouse when to them it shall 25 seem more advisable: Provided always, that such Out-door Relief shall always be in Food or Kind, and in no Case shall Wages be paid in Money.

XI. And be it enacted, That such Estimates and Returns prescribed in respect of the poor Persons relieved within the Workhouse 30 in the ordinary Manner, as herein-before mentioned, shall be forwarded to the Union Board in respect of the able-bodied Poor.

XII. And be it enacted, That it shall be lawful for any Board of Guardians, if they shall think fit, to elect an Assistant Guardian for the Union, and fix a Salary for such Officer; and that such Assistant 35 Guardian shall be resident either in or near to the Workhouse, and shall be subject only to such Control of the Poor Law Commissioners as other Union Officers are subject to; and the Duties of such Assistant Guardian shall be the general Supervision of all Details of the Administration of such Union and Workhouse, together with 40 a Supervision of the Accounts, and especially of all Manufactures and Works carried on in the Union, according to such Rules and Regulations

gulations as shall be laid down from Time to Time for his Guidance by the Board of Guardians of the Union; and in case it shall seem fit to the said Board of Guardians, it shall have the Power of dismissing the said Assistant Guardian.

- 5 XIII. And whereas by the said recited Act passed in the Tenth Year of Her present Majesty it is enacted, that the Poor Law Commissioners may dissolve Boards of Guardians, at their Discretion, and appoint paid Guardians to administer the Affairs of such Unions in their Place: Be it enacted, That such Provision is hereby repealed; and that from and after the passing of this Act, when it shall have appeared to the Poor Law Commissioners that, on Account of Refusal to act, Neglect of Duty, or of corrupt or improper Conduct, it is advisable to dissolve a Board of Guardians, they may, under their Seal, declare the said Board of Guardians to be dissolved, and forth- with issue the usual Order for the Election of a new Board of Guardians; and in case the said Board of Guardians elected at such fresh Election shall refuse or neglect to act, or act improperly or corruptly, then it shall be competent to the said Poor Law Commissioners to make an Application to the Judges of the Queen's Bench, and if it shall be made to appear to the said Judges of the Queen's Bench that the said Guardians have refused or neglected to act, or have performed their Duties either negligently or corruptly, then the said Judges shall issue a Mandamus to the said Poor Law Commissioners to appoint a paid Guardian, and to select Three Magistrates, and Three Rate-payers among the higher Rate-payers residing within the Union, to constitute a Board, and that this Board so selected shall administer the Affairs of the Union, and levy Rates, if it shall to them seem necessary, sufficient for the Requirements of the Union, until the next ordinary Election of Guardians, when their Functions shall cease, and a Board be elected in the ordinary Manner.

As to dissolving Board of Guardians, and the Appointment of paid Guardians.

- XIV. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Board of Guardians to recover from an immediate Lessor or Landlord, nor levy, either by Distress or otherwise, on the Land or Farm from which any Tenant has been evicted, and for which an Arrear of Poor Rate remains due, any Sum greater than that which the Tenant would have had the Right to deduct from the Landlord had he paid his Rent, nor for Arrears due on more than One Year preceding the Date of Eviction.

Board of Guardians not to recover more than immediate Rent or Landlord of Land, from which any Tenant is evicted, and for which Arrears are due, than such Tenant would have had a Right to deduct from his Landlord had he paid the same.

- XV. And whereas from the earliest Period of the Connexion of Ireland with England much Injury has been inflicted on the former Country by reason of Absenteeism, and that Persons possessing Property in Ireland draw large Sums from the Resources of it to other Countries, whereby it is grievously impoverished: Be it therefore enacted,

Absentees, who shall not have resided in Ireland Twelve Months in the last Three

Years, to be rated.

If aggrieved, may appeal to Quarter Sessions.

enacted, That it may be lawful for any Board of Guardians to assess a Rate not exceeding *Two* per Cent. on the Valuation of the Property of any Person situate within the Union, who, not having been employed on the Public Service, shall not have resided at least Twelve Months out of the last Three Years within the Kingdom of Ireland, 5 and any Board of Guardians is hereby empowered to decide on the Fact of such Residence as it is at present on the Settlement of a Pauper; but if the Person so rated as an Absentee shall feel himself aggrieved by the Board of Guardians, then he may appeal to the next Quarter Session to be held for the Division in which the Property 10 is situate; and the Assistant Barrister is hereby empowered to empanel a Jury to try and determine as to whether the Person so appealing has been resident or not during Twelve Months out of the last Three Years, or, being absent during that Time, or of Two Years out of that Time, has been employed in the Public Service; and in 15 case such Jury decide that the Board of Guardians have not decided according to Fact, and have struck a Rate on the Complainant unjustly, then such Rate shall be quashed, on a Certificate from the Assistant Barrister; and all Rates struck by Authority of this Act on Absentee Proprietors shall be placed to the Credit of the Electoral 20 Division or Divisions in which such Property shall be situate, in proportion to the Value of such Property situate within such Electoral Division.

Owners, &c. of Land, having a Mortgage, &c., to deduct from the Interest payable to Incumbrancer a Poundage equivalent to the Rate payable in respect of Incumbrance.

The Poor in Workhouses to be employed in productive Labour, and as Assistent of Master of Penitents, and Expenditure in Material, &c., to be transmitted to Poor Law Commission every Three Months

Medical Relief Divisions.

Guardians of Unions to divide Unions into Districts for the Purpose

XVI. And forasmuch as the entire Burden of the Support of the Poor is now placed on the Owners and Holders of Land, be it 25 enacted, That it may be lawful for any Holder or Owner of Land having a Mortgage, Judgment, Jointure, or any other Incumbrance, to deduct from the Interest payable to such Incumbrancer a Poundage Rate equivalent to the Poor Rate payable by him in respect of such Incumbrance.

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XVII. And be it enacted, That the poor Persons in every Workhouse in Ireland shall be employed at some Work of Manufacture or Utility; and that an Account of the Expenditure for Material, and Value and Quantity of Articles so manufactured, and the Number of Persons employed, shall be transmitted to the Poor Law Commissioners 35 every Three Months.

XVIII. And be it enacted, That it shall and may be lawful for the Guardians of any Union in Ireland to divide the Union into Districts, for the Purpose of affording Medical Relief to the Poor, preserving the same Boundaries as those of the present Electoral Divisions, 40 either by adopting an existing Electoral Division as a Medical Relief Division, or uniting Two or more Electoral Divisions for that Purpose; but providing always, that in no Case shall the Centre of an Electoral

Electoral Division be more than *Seven Miles* from the Centre of those united with it.

of affording
Medical
Relief.

- XIX. And be it enacted, That when any Medical Relief Division shall have been so constituted by the Board of Guardians of the Union as aforesaid, it shall be lawful for the Guardians of the Electoral Division or Divisions so constituted into a Medical Relief Division, by a Notice to be given at least *Seven Days* before the Day appointed, to call a Meeting of all Rate-payers who shall be rated to the Poor Rate within the District at not less than *Twenty Pounds*; and it shall be lawful for the said Meeting to elect a Committee of Management of the Medical Relief of that District of a sufficient Number of Rate-payers resident within that District who shall be liable to pay Poor Rates in respect to Property of the net annual Value of *Twenty Pounds* at least, who, together with the Guardians resident in the District, and One of the Clergymen of each of the Protestant, Roman Catholic, and Presbyterian Persuasions who shall be therein resident, shall be a Committee for the Management of Medical Relief within that District; and annually the same Meeting, so constituted, shall elect a similar Committee of Management for each succeeding Year, who shall elect or dismiss their Medical Officers, and provide Medical Relief.

Committee of Management for Medical Relief to be appointed annually.

- XX. And be it enacted, That the said Committee of Management shall elect One or more Medical Officers for that District, being either a Physician or Surgeon duly qualified, and subject to the Approval, as far as Qualification, to the Approbation of the Poor Law Commissioners of Health, and they shall also appoint the Amount of Salary for such Medical Officer or Officers, which, when approved by the Board of Guardians, shall be their Salary; and the said Committee of Management shall provide a House, Building, Room or Rooms, to be used as a Dispensary or Office for the Medical Officer of that District, and for the Meetings of the Committee of Management, and provide such Medicines and Medical Appliances as may be necessary for the Medical Relief of the Poor of the District; and it shall be lawful for the said Committee of Management from Time to Time to make Rules for the Manner of relieving the Poor within their District.

Committee of Management to elect Medical Officers.

- XXI. And be it enacted, That the said Committee of Management shall once in every Half Year, on Days to be appointed by the Board of Guardians of the Union, furnish to the Board of Guardians an Estimate of the Expenses which they think will be necessary for the Salaries of Officers and other Expenses incidental to the Medical Relief of the Poor in the District; and the Board of Guardians

Committee of Management once in every Half Year to furnish the Board of Guardians with an Estimate of Expenses of Salaries of Officers &c.

paired for the Medical Relief of the Poor.

Board of Guardians to strike a Rate on the Electoral Division comprising such Medical Relief District.

Committee to transmit Account of Expenditure for previous Half Year, and other Particulars relating to the sanitary Condition of the District.

Payments made to be certified by Medical Officer, and, when approved and certified by Board of Guardians, to be paid by Treasurer of Union, and audited.

Medical Officer to vaccinate all Persons who may come to him for that Purpose, and shall make half-yearly Returns to the Board of Guardians, who are to make Contracts for Vaccination as at present.

Vaccination.

Salaried Medical Officers of Districts to attend at Examination

Guardians are hereby empowered to strike a Rate, not exceeding in the Pound on the Valuation, on the Electoral Division or Divisions comprising such Medical Relief District; and at the same Time the said Board of Management shall transmit to the Board of Union Guardians an Account of the Expenditure of the previous Half Year, also a Return stating the Number of Cases attended by the Medical Officer, the Number of Diseases of each Description, and Number of Deaths among those relieved, with the Cause of such Deaths, together with a short Report of the sanitary Condition of the District, all which shall be signed by the Medical Officer or Officers, 10 and by the acting Secretary and acting Chairman of the Committee of Management; and all Payments made on account of the Medical Relief of Medical Districts so formed shall be certified by the Medical Officers, and submitted to the Committee of Management, and, on Order, signed by the acting Secretary and acting Chairman of each 15 Committee of Management, and when approved by the Board of Guardians, and signed by their Chairman, shall be paid by the Treasurer of the Union; and all Accounts for Payments of the Medical Relief Districts shall be audited as the other Union Accounts are audited. 20

XXII. And be it enacted, That every Medical Officer of the Medical Relief Districts shall and he is hereby required to vaccinate all Persons who may come to him for that Purpose, and shall make an half-yearly Return of the Number so vaccinated to the Board, who are to make Contracts for Vaccination as at present. 25

XXIII. And be it enacted, That the Medical Officer of every Dispensary District constituted under this Act shall and he is hereby required to vaccinate all Persons who may come to him for that Purpose, subject to such Regulations as may be issued by the Commissioners of Health in that Behalf, and which Regulations the said Commissioners are hereby required to make and issue; and that from and after the Declaration of any such Dispensary District it shall not be obligatory on the Board of Guardians of the Poor Law Union containing such District, or any Part thereof, to make a Contract with a Medical Practitioner for the Vaccination of Persons resident in such 30 District, under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty, intitled "An Act to extend the Practice of Vaccination." 35

XXIV. And be it enacted, That it shall be the Duty of any salaried Medical Officer of a Dispensary District, or of an Hospital 40 District under this Act, or, if more than One, then the nearest of such Medical Officers (whether of a Dispensary District or Hospital District),

District), save in the Case of his Sickness or necessary Absence, and then the other nearest of such Medical Officers, without any further Fee or Reward, to examine and certify, under the Statute in that Behalf, as to the Case of any dangerous Lunatic brought before a Justice of the Peace within his respective District, and to attend professionally at any Inquests of Coroners or Justices within such respective District, when summoned so to do, and also to give his Medical Attendance and Care, so far as shall be necessary, to the Prisoners or Inmates in any Bridewell or House of Correction situate within such respective District, and to supply to such Prisoners and Inmates the necessary Medicines, the Account of which Medicines shall be submitted to the next Meeting of the Committee or Governors of such respective District, who shall make Provision for the Payment thereof; and it shall be lawful for the said Commissioners, if they shall think fit, to take into account the probable Extent of such extraordinary Duties, with respect to any such Bridewell or House of Correction, in fixing the Amount of the Salaries of the Medical Officers of such Districts.

of dangerous Lunatics and at Coroners's Inquests, and to give Attendance at Bridewells within their Districts.

XXV. And be it enacted, That all Dispensaries, and all Accounts of the Medical Relief Districts formed under this Act, shall be open to the Inspection of any Visitor or Visitors appointed by the Authority of the Commissioners of the Board of Health and Poor Law Commissioners.

Dispensaries, and all Accounts of Medical Relief Districts, to be open to Inspection of any Visitor appointed by Commissioners of Board of Health and Poor Law Commissioners.

XXVI. And be it enacted, That Grand Juries are not required to present for any Sums for Dispensaries within Districts thus constituted, as provided in any former Act.

Grand Juries are not to present for Dispensaries within Districts constituted by this Act.

XXVII. And be it enacted, That no Guardian, Governor, or Member of the Committee of Management, paid Officer, or other Person concerned in the providing, ordering, Management, Control, or Direction of the Medical Relief of the Poor in any Dispensary District or Hospital District, shall, either in his own Name or in the Name of any other Person, provide, furnish, or supply for his own Profit any Medicines, Instruments, Furniture, or Goods for the Use of any Dispensary or Hospital in any District for which he shall act in any such Capacity as aforesaid, during the Time for which he shall retain such Office, nor shall during such Time be interested, directly or indirectly, in any Contract relating thereto, under pain of forfeiting the Sum of Fifty Pounds, with the full Costs of Suit, to any Person who shall sue for the same by Action of Debt or on the Case in any of Her Majesty's Courts of Record at Dublin.

Members of Committee of Dispensary not to be concerned in supplying Articles for Use in Hospital or Dispensary.

under Penalty of 50*l.* and Costs.